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24 April 2004

Ms. Crystal J. Barnes
Examiner
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313

RE: Application Number 09/771,799

Dear Ms Barnes:

Thank you for your consideration regarding patent application 09/771,799. In review of your comments, it is clear that you discovered application inconsistencies. Your efforts are appreciated in discovering these inconsistencies. I trust the amendments enclosed clarify and correct those inconsistencies and are compliant with Code Section 714 of the *Manual of Patent Examining Procedure*.

Again, after review of your comments regarding the application claims, I now have a better understanding of the USPTO requirements. I have reworked the claims for your review. Because I am a practicing mechanical / control engineer, patent law is not an area I consider a specialty and request a meeting with you to discuss the patent application and specifically the claim construction. As circumstances occur, I have relocated to the area while overseeing the building a pharmaceutical plant and may be reached at:

8 Bayridge Court
Gaithersburg, Maryland 20878
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I am submitting a request for change of address with this correspondence.

I have included the Detailed Action Section of the Office Action along with my responses (as set off by text boxes and differing fonts)as Introductory Comments. To address some of the comments, I have included a paper published by The Instrumentation, Systems, and Automation Society. This paper was awarded co-best paper at the Technology Exposition 2001, Houston, TX for its advancement of process control engineering. I trust these responses along with this paper will aid you in determining patentability of my application.

Thank you in advance for your assistance.

Sincerely

Robert H. Francis PE
President

Enclosures:

- 1 Change of Applicant's Address
- 2 Detailed Action Section of the Office Action – Introductory Comments
- 3 Amendment A: Specifications, Drawings, Claims and Remarks
- 4 Francis, Robert H., "Asymptotic Approach Algorithm" ISA 2001 Technology Update, Volume LVI Part 1,The Instrumentation, Systems and Automation Society), Research Triangle Park NC, 2001, Page 111 to 120 along with USPTO form PTO/SB/08B.

Detailed Action - Introductory Comments*Information Disclosure Statement*

1. The information disclosure statement filed 2001 April 12 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the non-patent literature document referenced to therein has not been considered.

Agreed. The reference was included because the reference had been listed in another US patent. The examiners consideration is appreciated.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference numbers 42, 46, 50, 56, 60 and 62 in figure 2 are not mentioned in the specification. A proposed drawing correction, corrected drawings, or amendment to the specification to add the referenced sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Agreed. Please see Attachment 1 for amendment

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "52" has been used to designate both "Set each element of Z stack to 0" and "Adjust K_{bias}" in figure 2. Also see page 11 2nd and 3rd full paragraphs. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Agreed. Please see Attachment 1 for amendment

Specification

4. The disclosure is objected to because the following informalities: reference number 58 on page 11 end of 3rd full paragraph should be reference number 60. Appropriate correction is required.

Agreed. Please see Attachment 1 for amendment

Claims Objections

5. Claims 1 and 2 are objected to because of the following informalities: claims numbers "A1" and "A2" should be "1" and "2" and the whereby clauses of both claims 1 and 2 should be changed to additional steps of the process. Appropriate correction is required

Agreed. Please see Attachment 1 for amendment